

Steven N.H. Wood, Esq. (CA SBN 161291)  
**BERGQUIST, WOOD, MCINTOSH & SETO, LLP**  
 1470 Maria Lane, Suite 300  
 Walnut Creek, CA 94596  
 Telephone: (925) 938-6100  
 Facsimile: (925) 938-4354

Attorneys for Petitioner RANDOLPH FONG

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

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In the Matter of the FONG FAMILY  
 LIVING TRUST dated June 15, 1993

Case No. ~~CV~~-03021 EDL

RANDOLPH FONG, Beneficiary,  
 Petitioner,

vs.

PATRICIA BEEHLER, as Co-Trustee  
 and individually; and ROBERT FONG,  
 as Co-Trustee and individually,

Respondents.

**STIPULATION AND ORDER TO  
 CONTINUE MOTION TO REMAND AND  
 MOTION TO DISMISS AS MODIFIED**

**Motion to Remand:**

Date: August 27, 2013  
 Time: 9:00 a.m.  
 Courtroom: Courtroom E – 15th Floor  
 Judge: Honorable Elizabeth D. Laporte

**Motion to Dismiss:**

Date: September 3, 2013  
 Time: 2:00 p.m.  
 Courtroom: Courtroom E – 15th Floor  
 Judge: Honorable Elizabeth D. Laporte

THE PARTIES HEREBY STIPULATE AND REQUEST THE COURT TO ORDER AS  
 FOLLOWS:

1. Upon Respondents' request, due to a preplanned vacation of counsel for  
 Respondents, the parties stipulate to continue the hearing on Petitioner's Motion to Remand from  
 August 27, 2013 to **September 3, 2013 at 2:00 PM.** (Opposition was filed August 5, 2013 and  
 Reply is still due August 12, 2013.)

2. Upon Petitioner's request, since the Motion to Remand may render the Motion to Dismiss moot, the parties stipulate to: (a) extend Petitioner's deadline to respond to Respondents' Motion to Dismiss until September 17, 2013, two weeks after the hearing on the Motion to Remand, and (b) continue the hearing date on the Motion to Dismiss until October 8, 2013 at <sup>9:00 a.m.</sup>~~2:00 PM~~, three weeks thereafter.

Dated: August 8, 2013

BERGQUIST, WOOD, McINTOSH & SETO, LLP



Steven N.H. Wood, Esq.  
Attorneys for Petitioner RANDOLPH FONG

Dated: August 8, 2013

BRILLANT LAW FIRM



David Brilliant, Esq.  
Attorneys for Respondents PATRICIA BEEHLER and  
ROBERT FONG

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: August 9, 2013

  
HON. ELIZABETH LAPORTE